

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re:
CINCH WIRELINE SERVICES, LLC
Debtor

**JOHN PATRICK LOWE, CHAPTER 7
TRUSTEE FOR CINCH WIRELINE
SERVICES, LLC
Plaintiff**

V.

**CINCH ENERGY SERVICES, LLC;
CINCH INVESTMENT HOLDINGS, LLC;
CES GROUP HOLDINGS, LLC; HOOK N
BULL PROPERTIES, LLC; LOS CABOS
RANCH, LLC; FTS RANCH, LLC; FTSJR
HOLDINGS, LLC; WFO HOMES, LLC;
TEXAS COAST BUILDERS, LLC; 17
MAIN, LLC; GRANDER HOLDINGS,
LLC; WFO, LLC; PONDER RANCH,
LLC; BL EQUITY HOLDINGS,
LLC; OCEAN FLOOR HOLDINGS, LLC;
FRANK THOMAS SHUMATE; MARK
LOPEZ; LORETTA L. HIGGINS;
TIMOTHY GAINES POLLARD; JERRY
MILLER and such other yet unknown
Defendants (“JOHN DOE DEFENDANTS”)
Defendants**

Case No. 23-51742-cag

Adversary 24-05011-cag

**THIRD AMENDED
WITNESS AND EXHIBIT LIST OF
JOHN PATRICK LOWE, CHAPTER 7 TRUSTEE**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES John Patrick Lowe, Trustee ("Trustee"), the duly appointed and acting Chapter 7 Trustee in the above-captioned bankruptcy case, and hereby files its Third Amended Witness and Exhibit List to be used in connection with the Wednesday, August 14, 2024 hearing. Trustee may call the following witnesses and offer the following exhibits:

LIST OF WITNESSES

1. Frank Thomas Shumate
2. Loretta Higgins
3. Timothy Gaines Pollard
4. Israel Rodriguez
5. Any witness called by any other creditor, any other party in interest that may appear and seek to be heard at the hearing, and any rebuttal witness as may be required.
6. Any rebuttal witnesses necessary.

LIST OF EXHIBITS

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Declaration and Proffer of Direct Testimony of Shelby A. Jordan [Judicial Notice #90-1]				
2.	Declaration and Proffer of Direct Testimony of Ernest "Butch" Boyd [Judicial Notice #90-2]				
3.	Photos of 30 boxes from first visit to Cinch offices on 4/26/24				
4.	Photos of 80 boxes from second visit to Cinch offices on 5/7/24				
5.	Photos of sever from second visit to Cinch offices on 5/7/24				
6.	Photos of boxes of laptops and a sever from second visit to Cinch offices on 5/7/24				
7.	Commercial Contract for 5821 Agnes Street with PMI LLC with a closing date of 6/10/24 signed by Pollard				
8.	Photo of O'Finan on phone with Shumate on first visit to Cinch offices on 4/26/24				
9.	Burn Pit (Admitted as Exhibit 1 on 4/19/24 during Preliminary Injunction Hearing)				
10.	Verification signed by Shumate and notarized by Mathis from case no. 5:24-cv-00319-OLG; Docket #10				
11.	Screenshot of Cinch Server Screen				
12.	Screenshot of Cinch Server Screen				
13.	7/24/24 Letter to Dick Fuqua				

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
17.	Live Access to Cinch OneDrive				
18.	5/2/24 Email from L. Higgins to R. Lee Murphy				
19.	Hook N Bull LOC Statements – 9.28.18 – 8.2.24				
20.	Hook N Bull 2 nd LOC Statements – 2.6.23 – 8.1.24				
21.	Transfer from Lone Star Cement				
22.	Photo of CWS Truck - 1				
23.	Photo of CWS Truck - 2				
24.	Photo of CWS Truck - 3				
25.	US DOT Information				
	Any exhibit identified, introduced, designated or relied upon by any other party.				
	Any exhibits necessary for rebuttal or impeachment purposes.				

The Trustee reserves the right to amend this Exhibit List and to introduce other exhibits as may be necessary for impeachment purposes. The Trustee also reserves the right to introduce exhibits designated by opposing counsel.

Dated: August 9, 2024

Respectfully submitted,

/s/ Butch Boyd

Butch Boyd

State Bar No. 00783694

Butch Boyd Law Firm, P.C.

2905 Sackett Street

Houston, TX 77098

Phone: (713) 589-8477

Fax: (713) 589-8563

Email: butchboyd@butchboydlawfirm.com

copy to: katrinaboyd@butchboydlawfirm.com

/s/ Shelby A. Jordan

Shelby A. Jordan

St. Bar No. 11016700; S.D. No. 2195

Antonio Ortiz

St. Bar No. 24074839; SD. No. 1127322

JORDAN & ORTIZ, P.C.

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**SPECIAL COUNSEL FOR JOHN PATRICK
LOWE, CHAPTER 7 TRUSTEE**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Witness and Exhibit List was served to the below, by the CM/ECF system or by electronic mail on August 9, 2024:

Butch Boyd

Butch Boyd Law Firm, P.C.
2905 Sackett Street
Houston, TX 77098
713-589-8477
713-589-8563 (fax)
butchboyd@butchboydlawfirm.com
Assigned: 07/18/2024

representing

**John Patrick Lowe, Chapter 7
Trustee for Cinch Wireline
Services, LLC
(Plaintiff)**

Gabi S Canales

Canales Law Office
5262 S Staples St.
Suite 100
Corpus Christi, TX 78411
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Assigned: 05/14/2024

representing

**Michael Mendieta
(Interested Party)**

Mitchell Clark

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361-882-1612
361-882-3015 (fax)
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Assigned: 07/22/2024

representing

**Justin Sprencel
(Interested Party)**

Jason Alexander Enright

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Assigned: 07/25/2024

representing

**Simmons Bank
(Interested Party)**

Richard L. Fuqua

Fuqua & Associates, PC
8558 Katy Freeway
Suite 119

representing

**Loretta L. Higgins
24030 Tirso River Court
Katy, TX 77493
(Defendant)**

77024
Houston, TX 77024
713-960-0277
713-960-1064 (fax)
fuqua@fuqualegal.com
Assigned: 05/28/2024

R. Javier Guerra

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(210) 341-3557 (fax)
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Assigned: 05/20/2024

Jerry Miller
137 W. Chandler Road
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(Defendant)

representing

Aaron Matthew Guerrero

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Assigned: 04/26/2024

17 Main, LLC
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Agent
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Los Angeles, CA 90034
(Defendant)

representing

Charles A. Newton

Newtons Law
190 N. Millport Circle
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chuck@newtons.law
Assigned: 05/02/2024

Mark Lopez
52 County Road 2011
Edna, TX 77957
(Defendant)

representing

Assigned: 05/13/2024

Los Cabos Ranch, LLC
c/o Paul S Kirklin, Registered
Agent
12600 N. Featherwood Drive, Suite
225,
Houston, TX 77034
(Defendant)

representing

Paul W. O'Finan

S M Chaudhry, Esq., Attorney at Law
PLLC

Frank Thomas Shumate
6118 King Trail
Corpus Christi, TX 78414

representing

14100 San Pedro Ave, Suite 210
San Antonio, TX 78232
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(210) 646-0038 (fax)
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Assigned: 04/24/2024

TERMINATED: 06/27/2024

Assigned: 05/08/2024

(Defendant)

representing

Timothy Gaines Pollard

2200 County Road 413

McCoy, TX 78113

(Defendant)

WFO Homes, LLC

c/o Tim Pollard, Registered Agent

146 Motts Parkway

Marion, TX 78124

(Defendant)

WFO, LLC

c/o Tim Pollard, Registered Agent

146 Motts Parkway

Marion, TX 78124

(Defendant)

Assigned: 05/08/2024

representing

BL Equity Holdings, LLC

c/o A Registered Agent, Inc

8 The Green, Suite A

Dover, DE 19901

(Defendant)

Assigned: 05/08/2024

TERMINATED: 06/27/2024

representing

CES Group Holdings, LLC

c/o Frank T. Shumate, Registered Agent

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McCoy, TX 78113

(Defendant)

Cinch Energy Services, LLC

Mark Lopez, Registered Agent

1102 S. Second

Ganado, TX 77962

(Defendant)

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McCoy, TX 78113

(Defendant)

FTS Ranch, LLC

c/o Frank T Shumate Jr., Registered
Agent

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McCoy, TX 78113

(Defendant)

FTSJR Holdings, LLC

c/o Frank T Shumate, Jr.,
Registered Agent

2200 County Road 413
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(Defendant)

Grander Holdings, LLC

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Agent

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(Defendant)

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(Defendant)

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(Defendant)

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c/o Frank T Shumate Jr., Registered
Agent

2200 County Road 413
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(Defendant)

Texas Coast Builders, LLC

c/o Frank T Shumate Jr., Registered
Agent

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Assigned: 06/03/2024

representing

McCoy, TX 78113
(Defendant)

CES Group Holdings, LLC
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McCoy, TX 78113
(Defendant)

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(Defendant)

FTS Ranch, LLC
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McCoy, TX 78113
(Defendant)

FTSJR Holdings, LLC
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McCoy, TX 78113
(Defendant)

Frank Thomas Shumate
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Corpus Christi, TX 78414
(Defendant)

Grander Holdings, LLC
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Agent
2200 County Road 413

McCoy, TX 78113
(Defendant)

Hook N Bull Properties, LLC
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Registered Agent
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McCoy, TX 78113
(Defendant)

Ocean Floor Holdings, LLC
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Agent
2200 County Road 413
McCoy, TX 78113
(Defendant)

WFO Homes, LLC
c/o Tim Pollard, Registered Agent
146 Motts Parkway
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(Defendant)

/s/ Butch Boyd
Butch Boyd